

**Louisville Metro Council
Final Agenda**

Ordinance Numbers used this meeting: 73 - 79

Resolution Numbers used this meeting: 86 - 89

**METRO COUNCIL SUMMARY ONLY
DETAILED MINUTES TO FOLLOW ON THE 6/06/13 COUNCIL AGENDA**

Members Roll Call:

(D) – Attica Scott (1)	(D) – Barbara Shanklin (2) L@4:30	(D) – Mary C. Woolridge (3)
(D) – David Tandy (4)	(D) – Cheri Bryant Hamilton (5)	(D) – David James (6)
(R) – Kenneth C. Fleming (7) EA	(D) – Tom Owen (8)	(D) – Tina Ward-Pugh (9)
(D) – Jim King (10)	(R) – Kevin Kramer (11)	(D) – Rick Blackwell (12)
(D) – Vicki Aubrey Welch (13)	(D) – Cindi Fowler (14)	(D) – Marianne Butler (15)
(R) – Kelly Downard (16)	(R) – Glen Stuckel (17) A@5:30	(R) – Marilyn Parker (18)
(R) – Jerry T. Miller (19)	(R) – Stuart Benson (20)	(D) – Dan Johnson (21)
(R) – Robin Engel (22) EA	(R) – James Peden (23)	(D) – Madonna Flood (24)
(D) – David Yates (25) EA	(D) – Brent Ackerson (26) EA	

EA = Excused Absence, **AB** = Absent, **A** = Arrived, **L** = Left

Meeting Date:

05/20/2013

Meeting Time:

4:00 PM

Location:

601 W. Jefferson Street
3rd Floor, City Hall
Louisville, KY 40202

President:

Jim King (10)

Pro-Tem:

David James (6)

Communication from the Mayor

Clerk read into record.

1- Call for a Special Meeting

President King introduced Mayor Greg Fischer and invited him to present his FY 2013-2014 Budget to the Council.

Mayor Greg Fischer's 2013-2014 Budget Address

2- Mayor's Budget Address

Following the Mayor's Budget Address President King entertained a motion to recess this meeting until 5:30 p.m. The Council Court will convene at 4:45 p.m.

Motion to enter recess made by CM David James and seconded by CM Dan Johnson.

Without objection the Council entered into recess at 4:30pm.

President King requested a motion and a second to reconvene the Council Meeting.

Motion to reconvene made by CM Jerry T. Miller and seconded by CM Rick Blackwell.

The Council Meeting reconvened at 5:25pm.

Introduction of Page(s)

3- CW Scott introduced Erica Hughes as the Page from District 1

Guest(s)

4- CW Scott recognized Darryl Taylor

Council Minutes

5- Regular Council Minutes - May 9, 2013

Motion to approve made by CM Dan Johnson and seconded by CM James Peden.

By Voice Vote, the Council Minutes were **approved as written**.

Committee Minutes

6- Regular: Ad Hoc Committee on Intergovernmental Affairs - May 9, 2013

7- Regular: Ad Hoc Committee on Vacant Properties - May 7, 2013

8- Regular: Appropriations, NDFs and CIFs - May 15, 2013

9- Regular: Budget - May 16, 2013

10- Special: Charging Committee - May 8, 2013

11- Regular: Committee of the Whole - May 9, 2013

12- Regular: Committee on Contracts - May 15, 2013

13- Regular: Committee on Sustainability - May 9, 2013

14- Regular: Planning/Zoning, Land Design & Development - May 14, 2013

15- Regular: Public Works, Bridges and Transportation - May 16, 2013

Motion to approve made by CM David James and seconded by CM Dan Johnson.

By Voice Vote, the Committee Minutes were **approved as written**.

Consent Calendar

The Consent Calendar comprised of Items 16 - 24. The Clerk provided a second reading.

Legislation forwarded from APPROPRIATIONS, NDFS AND CIFs

16- O-75-05-13 AN ORDINANCE APPROPRIATING A TOTAL OF \$6,000 FROM NEIGHBORHOOD DEVELOPMENT FUNDS IN THE FOLLOWING MANNER: \$1,500 FROM DISTRICT 25; \$1,000 EACH FROM DISTRICTS 12, 13, 14; \$500 EACH FROM DISTRICTS 10, 21, 24, THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO THE YOUNG MEN'S CHRISTIAN ASSOCIATION (YMCA) OF GREATER LOUISVILLE FOR SOUTHWEST YMCA MONTHLY FAMILY NIGHTS.
(Ordinance 73, Series 2013)

Committee: Appropriations NDFs and CIFs
Status: On Council Agenda - Consent Calendar
Action Required By November 2013
Primary Sponsor: David Yates
Rick Blackwell
Vicki Aubrey Welch
Cindi Fowler
Jim King
Dan Johnson
Madonna Flood

Legislation forwarded from BUDGET

- 17- O-72-05-13 AN ORDINANCE AMENDING ORDINANCE NO. 120, SERIES 2012, RELATING TO THE FISCAL YEAR 2012-13 OPERATING BUDGET FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT, BY TRANSFERRING FUNDS BETWEEN EXTERNAL AGENCIES. **(Ordinance 74, Series 2013)**

Committee: Budget
Status: On Council Agenda - Consent Calendar
Action Required By November 2013
Primary Sponsor: Jim King
Marianne Butler
Kelly Downard

- 18- O-73-05-13 AN ORDINANCE AMENDING ORDINANCE NO. 120, SERIES 2012 AND ORDINANCE NO. 119, SERIES 2012 RELATING TO THE FISCAL YEAR 2012-13 OPERATING AND CAPITAL BUDGETS, RESPECTIVELY, FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT, BY TRANSFERRING GRANT FUNDS, AS AUTHORIZED IN RESOLUTION NO. 48, SERIES 2009, FROM OPERATING TO CAPITAL. **(Ordinance 75, Series 2013)**

Committee: Budget
Status: On Council Agenda - Consent Calendar
Action Required By November 2013
Primary Sponsor: Marianne Butler

- 19- O-74-05-13 AN ORDINANCE AMENDING ORDINANCE NO. 141, SERIES 2011 AND ORDINANCE NO. 119, SERIES 2012 PERTAINING TO THE 2011-2012 AND 2012-2013 CAPITAL BUDGETS BY MOVING REMAINING FUNDS FROM A COMPLETED PROJECT TO "D12 PAVING." **(Ordinance 76, Series 2013)**

Committee: Budget
Status: On Council Agenda - Consent Calendar
Action Required By November 2013

Primary Sponsor: Rick Blackwell

- 20- O-48-03-13 AN ORDINANCE AMENDING ORDINANCE NO. 118, SERIES 2010 PERTAINING TO THE 2010-2011 CAPITAL BUDGET BY TRANSFERRING \$113,472.60 FROM THE BELVEDERE ELEVATOR PROJECT TO A NEW PROJECT, BELVEDERE CAPITAL IMPROVEMENTS, TO BE ADMINISTERED BY PUBLIC WORKS & ASSETS. (**Ordinance 77, Series 2013**)

Committee: Budget

Status:

On Council Agenda - Consent Calendar

Action Required By September 2013

Primary Sponsor: Tom Owen

Legislation forwarded from COMMITTEE ON CONTRACTS

- 21- R-82-04-13 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED NEW PROFESSIONAL SERVICE CONTRACT – (VIVIEN BETANCES-KEANE - \$30,000.00). (**Resolution 86, Series 2013**)

Committee: Committee on Contracts

Status:

On Council Agenda - Consent Calendar

Action Required By October 2013

Primary Sponsor: Robin Engel

Legislation forwarded from COMMITTEE ON SUSTAINABILITY

- 22- R-84-04-13 A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT \$5,500 OF FUNDING FROM U.S. FISH AND WILDLIFE SERVICE FOR RECOVERY AND CONSERVATION EFFORTS FOR KENTUCKY GLADECRESS AT MCNEELY LAKE PARK TO BE ADMINISTERED BY THE PARKS DEPARTMENT. (**Resolution 87, Series 2013**)

Committee: Committee on Sustainability

Status:

On Council Agenda - Consent Calendar

Action Required By October 2013

Primary Sponsor: Tina Ward-Pugh

Legislation forwarded from PUBLIC WORKS, BRIDGES AND TRANSPORTATION

- 23- R-81-04-13 A RESOLUTION IN SUPPORT OF REOPENING THE K&I BRIDGE FOR PUBLIC USE. (**Resolution 88, Series 2013**)

Committee: Public Works Bridges and Transportation

Status:

On Council Agenda - Consent Calendar

Action Required By October 2013

Primary Sponsor:

Tom Owen

Robin Engel

Jerry T. Miller

**Additional
Sponsor:**

Cheri Bryant Hamilton

24-

R-83-04-13 A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A GRANT OF UP TO \$24,246.00 FROM KENTUCKY UTILITIES COMPANY FOR THE PURCHASE OF AN ELECTRIC VEHICLE. (**Resolution 89, Series 2013**)

Committee: Public Works Bridges and Transportation

Status:

On Council Agenda - Consent Calendar
Action Required By October 2013

Primary Sponsor: Tina Ward-Pugh

Motion to approve made by CM Kelly Downard and seconded by CM Dan Johnson.

By a Roll Call Vote, the **Consent Calendar passed**.

VOTING RESULTS: For: 21; Against: 0; Abstain: 0; Absent: 5

For: Attica Scott, Mary C. Woolridge, David Tandy, Cheri Bryant Hamilton, David James, Tom Owen, Tina Ward-Pugh, Jim King, Kevin Kramer, Rick Blackwell, Vicki Aubrey Welch, Cindi Fowler, Marianne Butler, Kelly Downard, Glen Stuckel, Marilyn Parker, Jerry T. Miller, Stuart Benson, Dan Johnson, James Peden, Madonna Flood

Against: (None)

Abstain: (None)

Absent: Barbara Shanklin, Kenneth C. Fleming, Robin Engel, David Yates, Brent Ackerson

Old Business

25-

O-79-05-13 AN ORDINANCE OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT, PROVIDING FOR AND AUTHORIZING THE ISSUANCE OF CERTAIN GENERAL OBLIGATION BONDS OF THE METRO GOVERNMENT IN ONE OR MORE SERIES TO FINANCE THE COSTS OF THE PUBLIC PROJECTS AS DESCRIBED THEREIN AND TO REFUND CERTAIN OUTSTANDING OBLIGATIONS OF THE METRO GOVERNMENT AS DESCRIBED THEREIN; SETTING FORTH THE TERMS AND CONDITIONS ON WHICH THE BONDS ARE TO BE ISSUED AND PROVIDING FOR A COMPETITIVE, ADVERTISED SALE THEREOF; DEFINING AND PROVIDING FOR THE RIGHTS OF THE HOLDERS OF THE BONDS AND PROVIDING FOR THE APPLICATION OF THE PROCEEDS THEREOF; AND TAKING OTHER RELATED ACTION RELATING TO THE ISSUANCE AND SALE OF THE BONDS. (AS AMENDED) (**Ordinance 78, Series 2013**)

Committee: Budget

Status:

On Council Agenda - Old Business
Action Required By November 2013

Primary Sponsor: Marianne Butler

Motion to approve made by CW Mary C. Woolridge and seconded by CW Vicki Aubrey Welch

By a Roll Call Vote the amended **Ordinance passed**.

VOTING RESULTS: For: 21; Against: 0; Abstain: 0; Absent: 5

For: Attica Scott, Mary C. Woolridge, David Tandy, Cheri Bryant Hamilton, David James,

Tom Owen, Tina Ward-Pugh, Jim King, Kevin Kramer, Rick Blackwell, Vicki Aubrey Welch, Cindi Fowler, Marianne Butler, Kelly Downard, Glen Stuckel, Marilyn Parker, Jerry T. Miller, Stuart Benson, Dan Johnson, James Peden, Madonna Flood

Against: (None)

Abstain: (None)

Absent: Barbara Shanklin, Kenneth C. Fleming, Robin Engel, David Yates, Brent Ackerson

26-

O-69-04-13 AN ORDINANCE CHANGING THE ZONING FROM C-1 COMMERCIAL TO C-2 COMMERCIAL ON PROPERTY LOCATED AT 9110 BLUE LICK ROAD CONTAINING 4.02 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 14388) (AS AMENDED). (**Ordinance 79, Series 2013**)

Committee: Planning/Zoning Land Design & Development

Status:

On Council Agenda - Old Business

Action Required By July 4, 2013

Primary Sponsor: Madonna Flood

Motion to approve made by CW Mary C. Woolridge and seconded by CW Vicki Aubrey Welch

By a Roll Call Vote the amended **Ordinance passed**.

VOTING RESULTS: For: 20; Against: 0; Abstain: 0; Absent: 6

For: Attica Scott, Mary C. Woolridge, David Tandy, Cheri Bryant Hamilton, David James, Tom Owen, Tina Ward-Pugh, Jim King, Kevin Kramer, Rick Blackwell, Cindi Fowler, Marianne Butler, Kelly Downard, Glen Stuckel, Marilyn Parker, Jerry T. Miller, Stuart Benson, Dan Johnson, James Peden, Madonna Flood

Against: (None)

Abstain: (None)

Absent: Barbara Shanklin, Kenneth C. Fleming, Vicki Aubrey Welch, Robin Engel, David Yates, Brent Ackerson

New Business

The Clerk provided a first reading of the following legislation and their assigned Committees.

Legislation assigned to APPROPRIATIONS, NDFS AND CIFS

27-

O-90-05-13 AN ORDINANCE APPROPRIATING A TOTAL OF \$19,000 NEIGHBORHOOD DEVELOPMENT FUNDS (NDF) IN THE FOLLOWING MANNER: \$7,500 FROM DISTRICT 12; \$2,500 EACH FROM DISTRICTS 13, 14, 25; AND \$4,000 FROM THE FISCAL YEAR 2011-12 DISTRICT 12 PARK ACTIVITY ACCOUNT; TO METRO PARKS FOR EXPENSES ASSOCIATED WITH THE 2013 RIVERVIEW PARK INDEPENDENCE FESTIVAL.

Committee: Appropriations NDFs and CIFS

Status:

On Council Agenda - New Business

Action Required By November 2013

Primary Sponsor:

Rick Blackwell

Vicki Aubrey Welch

Cindi Fowler
David Yates

- 28- O-91-05-13 AN ORDINANCE APPROPRIATING \$54,590 FROM DISTRICT 11 NEIGHBORHOOD DEVELOPMENT FUNDS, THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO THE CITY OF JEFFERSONTOWN FOR ONE-HALF THE COST OF INSTALLING LIGHTS AT THE JEFFERSONTOWN YOUTH FOOTBALL FIELD AT SKYVIEW PARK, 9900 GRASSLAND DRIVE.
- Committee:** Appropriations NDFs and CIFs
Status: On Council Agenda - New Business
Action Required By November 2013
Primary Sponsor: Kevin Kramer

Legislation assigned to BUDGET

- 29- O-81-05-13 AN ORDINANCE AMENDING ORDINANCE NO. 120, SERIES 2012 AND ORDINANCE NO. 119, SERIES 2012 RELATING TO THE FISCAL YEAR 2012-13 OPERATING AND CAPITAL BUDGET FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT, BY TRANSFERRING \$10,000 FROM THE DISTRICT 22 NEIGHBORHOOD DEVELOPMENT FUND TO THE DISTRICT 22 CAPITAL INFRASTRUCTURE FUND.
- Committee:** Budget
Status: On Council Agenda - New Business
Action Required By November 2013
Primary Sponsor: Robin Engel
- 30- O-82-05-13 AN ORDINANCE AMENDING ORDINANCE NO. 120, SERIES 2012 AND ORDINANCE NO. 119, SERIES 2012 RELATING TO THE FISCAL YEAR 2012-13 OPERATING AND CAPITAL BUDGET FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT, BY TRANSFERRING \$10,000 FROM THE DISTRICT 9 CAPITAL INFRASTRUCTURE FUND TO THE DISTRICT 9 NEIGHBORHOOD DEVELOPMENT FUND.
- Committee:** Budget
Status: On Council Agenda - New Business
Action Required By November 2013
Primary Sponsor: Tina Ward-Pugh
- 31- O-83-05-13 AN ORDINANCE AMENDING ORDINANCE NO. 119, SERIES 2012, AS AMENDED BY ORDINANCE NO. 70, SERIES 2013, RELATING TO THE FISCAL YEAR 2012-13 CAPITAL BUDGET FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT, BY AUTHORIZING A CAPITAL PROJECT TO ACQUIRE COLONIAL GARDENS.
- Committee:** Budget
Status: On Council Agenda - New Business
Action Required By November 2013
Primary Sponsor: Marianne Butler
- 32- O-84-05-13 AN ORDINANCE AMENDING ORDINANCE NO. 120, SERIES 2012, AND ORDINANCE NO. 119, SERIES 2012 RELATING TO THE FISCAL THE FISCAL YEAR 2012-13 OPERATING AND CAPITAL BUDGETS, RESPECTIVELY, FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT, BY TRANSFERRING \$15,000 FROM THE DISTRICT 12 CAPITAL INFRASTRUCTURE FUND TO THE DISTRICT 12 NEIGHBORHOOD DEVELOPMENT FUND

Committee: Budget
Status: On Council Agenda - New Business
Action Required By November 2013
Primary Sponsor: Rick Blackwell

- 33- O-85-05-13 AN ORDINANCE AMENDING ORDINANCE NO. 120, SERIES 2012, RELATING TO THE FISCAL YEAR 2012-13 OPERATING BUDGET FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT, BY TRANSFERRING \$3,000 OF FUNDING FROM THE NEIGHBORHOOD DEVELOPMENT FUND (DISTRICT 12) TO THE METRO COUNCIL GENERAL OPERATIONS (DISTRICT 12).

Committee: Budget
Status: On Council Agenda - New Business
Action Required By November 2013
Primary Sponsor: Rick Blackwell

- 34- O-93-05-13 AN ORDINANCE AMENDING ORDINANCE NO. 120, SERIES 2012, AND ORDINANCE NO. 119, SERIES 2012 RELATING TO THE FISCAL THE FISCAL YEAR 2012-13 OPERATING AND CAPITAL BUDGETS, RESPECTIVELY, FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT, BY TRANSFERRING \$10,000 FROM THE DISTRICT 6 CAPITAL INFRASTRUCTURE FUND TO THE DISTRICT 6 NEIGHBORHOOD DEVELOPMENT FUND.

Committee: Budget
Status: On Council Agenda - New Business
Action Required By November 2013
Primary Sponsor: David James

- 35- O-94-05-13 AN ORDINANCE AMENDING ORDINANCE NO. 120, SERIES 2012, RELATING TO THE FISCAL YEAR 2012-13 OPERATING BUDGET FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT, BY TRANSFERRING \$4,000 OF FUNDING FROM THE NEIGHBORHOOD DEVELOPMENT FUND (DISTRICT 6) TO THE METRO COUNCIL GENERAL OPERATIONS (DISTRICT 6).

Committee: Budget
Status: On Council Agenda - New Business
Action Required By November 2013
Primary Sponsor: David James

Legislation assigned to LABOR AND ECONOMIC DEVELOPMENT

- 36- R-95-05-13 A RESOLUTION DETERMINING ONE (1) VACANT PARCEL OF REAL PROPERTY LOCATED AT 1921 PORTLAND AVENUE OWNED BY LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT ("METRO GOVERNMENT") AS SURPLUS AND NO LONGER NEEDED FOR A GOVERNMENTAL PURPOSE AND AUTHORIZING ITS TRANSFER.

Committee: Labor & Economic Development
Status: On Council Agenda - New Business
Action Required By November 2013
Primary Sponsor: Cheri Bryant Hamilton

Legislation assigned to PLANNING/ZONING, LAND DESIGN AND DEVELOPMENT

37- O-86-05-13 AN ORDINANCE CLOSING A 12' WIDE ALLEY LOCATED ON THE EAST SIDE OF S. 3RD STREET 169' NORTH OF THE INTERSECTION OF S. 3RD STREET AND W. BROADWAY AND RUNNING EAST A DISTANCE OF 194' CONTAINING 2,275.62 SQUARE FEET AND BEING IN LOUISVILLE METRO (CASE NO. 14150).

Committee: Planning/Zoning Land Design & Development

Status:

On Council Agenda - New Business
Action Required By November 2013

Primary Sponsor: Madonna Flood

38- O-87-05-13 AN ORDINANCE ADOPTING THE LOUISVILLE LOOP MASTER PLAN AND INCORPORATING ITS EXECUTIVE SUMMARY INTO THE CORNERSTONE 2020 COMPREHENSIVE PLAN (CASE NOS. 18939 & 18940).

Committee: Planning/Zoning Land Design & Development

Status:

On Council Agenda - New Business
Action Required By November 2013

Primary Sponsor: Madonna Flood

39- O-88-05-13 AN ORDINANCE ADOPTING THE LOUISVILLE GREENWAYS – SOUTH POINTS MASTER PLAN AND INCORPORATING ITS EXECUTIVE SUMMARY INTO THE CORNERSTONE 2020 COMPREHENSIVE PLAN (CASE NOS. 18941 & 18942).

Committee: Planning/Zoning Land Design & Development

Status:

On Council Agenda - New Business
Action Required By November 2013

Primary Sponsor: Madonna Flood

40- O-89-05-13 AN ORDINANCE AMENDING CHAPTER 155 OF THE LOUISVILLE/JEFFERSON COUNTY METRO CODE OF ORDINANCES (LMCO) RELATING TO "SIGNS" TO ESTABLISH PROVISIONS RELATED TO THE DOWNTOWN ENTERTAINMENT DISTRICT.

Committee: Planning/Zoning Land Design & Development

Status:

On Council Agenda - New Business
Action Required By November 2013

Primary Sponsor: David Tandy

Legislation assigned to PUBLIC SAFETY

41- O-92-05-13 AN ORDINANCE AMENDING 51.510 OF THE LOUISVILLE METRO CODE OF ORDINANCES (LMCO) REGARDING ILLEGAL DUMPING.

Committee: Public Safety

Status:

On Council Agenda - New Business
Action Required By November 2013

Primary Sponsor: Marianne Butler

Adjournment

Motion to adjourn made by CM Tom Owen. Without objection the meeting **adjourned at 5:47 PM EST.**

Announcements

Council District announcements were made by CW Attica Scott and CM Tom Owen.